

1 Martin A. Muckleroy (SBN 9634)
2 MUCKLEROY LUNT, LLC
3 6077 South Fort Apache Road, Suite 140
4 Las Vegas, NV 89148
5 Telephone: (702) 907-0097
6 Facsimile: (702) 938-4065
7 martin@muckleroylunt.com

8 *Counsel for Lead Plaintiff Andrey Slomnitsky*
9 *and Liaison Counsel for the Proposed Class*

10 [Additional Counsel Appear on Signature Page]

11 UNITED STATES DISTRICT COURT

12 DISTRICT OF NEVADA

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|----|--------------------------------|---|--------------------------------|
| 13 | _____ | x | |
| 14 | | : | Case No. 3:14-CV-00175-LRH-WGC |
| 15 | | : | |
| 16 | | : | <u>CLASS ACTION</u> |
| 17 | | : | |
| 18 | In re ALLIED NEVADA GOLD CORP. | : | STIPULATED FORM OF PRODUCTION |
| 19 | SECURITIES LITIGATION | : | AGREEMENT AND ORDER |
| 20 | | : | |
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28 This Form of Production Agreement will govern the format in which the parties produce documents in the above-captioned case.

29 **I. PRODUCTION OF HARD COPY DOCUMENTS- FORMAT**

30 1. **Hard Copy Documents:** Hard copy documents should be scanned as single-page,
31 Group IV, 300 DPI TIFF images with an .opt image cross-reference file and a delimited database
32 load file (*i.e.*, .dat). The database load file should contain the following fields: "BEGNO,"
33 "ENDNO," "PAGES," "VOLUME" and "CUSTODIAN." The documents should be logically
34 unitized (*i.e.*, distinct documents shall not be merged into a single record, and single documents
35 shall not be split into multiple records) and be produced in the order in which they are kept in the

1 usual course of business. If an original document contains color, the document shall be produced
2 as single-page, 300 DPI JPG images with JPG compression and a high quality setting as to not
3 degrade the original image. Multi-page OCR text for each document should also be provided. The
4 OCR software shall maximize text quality. Settings such as “auto-skewing” and “auto-rotation”
5 should be turned on during the OCR process.
6

7 **II. PRODUCTION OF ESI**

8 1. **Format:** Electronically stored information (“ESI”) should be produced in single-
9 page, black and white, TIFF Group IV, 300 DPI TIFF images with the exception of spreadsheet
10 type files, source code, audio and video files, which should be produced in native format. If an
11 original document contains color, the document shall be produced as single-page, 300 DPI JPG
12 images with JPG compression and a high quality setting as to not degrade the original image.
13 Parties are under no obligation to enhance an image beyond how it was kept in the usual course of
14 business. TIFFs/JPGs should show any and all text and images which would be visible to the
15 reader using the native software that created the document, with the exception of redacted portions.
16 For example, TIFFs/JPGs of e-mail messages should include the BCC line. Power Point
17 documents shall be processed with hidden slides and all speaker notes unhidden, and shall be
18 processed to show both the slide and the speaker’s notes on the TIFF /JPG image.
19

20 2. **Format - Native Files:** If a document is produced in native, a single-page, Bates
21 stamped image slip sheet stating the document has been produced in native format should also be
22 provided. Each native file should be named according to the Bates number it has been assigned,
23 and should be linked directly to its corresponding record in the load file using the NATIVELINK
24 field. To the extent that either party believes that specific documents or classes of documents, not
25 already identified within this protocol, should be produced in native format, the parties should
26 meet and confer in good faith.
27
28

1 3. **De-Duplication:** Each party shall remove exact duplicate documents based on
2 MD5 or SHA-1 hash values, at the family level. Attachments should not be eliminated as
3 duplicates for purposes of production, unless the parent e-mail and all attachments are also
4 duplicates. An e-mail that includes content in the BCC or other blind copy field shall not be treated
5 as a duplicate of an e-mail that does not include content in those fields, even if all remaining
6 content in the e-mail is identical. De-duplication should be done across the entire collection (global
7 de-duplication) and the CUSTODIAN field should list each custodian, separated by a semicolon,
8 who was a source of that document and the FILEPATH field will list each file path, separated by
9 a semicolon, that was a source of that document. Should the CUSTODIAN or FILEPATH
10 metadata fields produced become outdated due to rolling productions, an overlay file providing all
11 the custodians and file paths for the affected documents should be produced prior to substantial
12 completion of the document production.
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15 4. **Technology Assisted Review (or “Predictive Coding”):** Technology Assisted
16 Review, as defined herein, shall mean and refer to a process of machine learning to assist in the
17 categorization and ranking for review of a collection of documents using a computerized system
18 that utilizes the decisions that a party, or its counsel, has made on a smaller subset of the collection
19 and then applies those decisions to the balance of the collection. Predictive coding/Technology
20 Assisted Review shall not be used for the purpose of culling the documents to be reviewed or
21 produced without notifying the requesting party prior to use and with ample time to meet and
22 confer in good faith regarding a mutually agreeable protocol for the use of such technologies.
23

24 5. **Metadata:** All ESI shall be produced with a delimited, database load file that
25 contains the metadata fields listed in Table 1, attached hereto. The metadata produced should have
26 the correct encoding to enable preservation of the documents’ original language.
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1 6. **Embedded Objects:** Embedded files shall be produced as attachments to the
2 document that contained the embedded file, with the parent/child relationship preserved. The
3 embedded files and the original document containing the embedded files will all be produced in
4 accordance with the formats agreed upon herein (*e.g.*, Excel files as native files, etc.).
5

6 7. **Compressed File Types:** Compressed file types (*e.g.*, .ZIP, .RAR, .CAB, .Z)
7 should be decompressed so that the lowest level document or file is extracted.

8 8. **Structured Data:** To the extent a response to discovery requires production of
9 electronic information stored in a database, including the production of text messages or similar
10 communications, the parties will meet and confer regarding methods of production. Parties will
11 consider whether all relevant information may be provided by querying the database for
12 discoverable information and generating a report in a reasonably usable and exportable electronic
13 file.
14

15 9. **Exception Report:** The producing party shall compile an exception report
16 enumerating any unprocessed or unprocessable documents, their file type and the file location.

17 10. **Encryption:** To maximize the security of information in transit, any media on
18 which documents are produced may be encrypted. In such cases, the producing party shall transmit
19 the encryption key or password to the receiving party, under separate cover, contemporaneously
20 with sending the encrypted media.
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22 11. **Redactions:** If documents that the parties have agreed to produce in native format
23 need to be redacted, the parties should meet and confer regarding how to implement redactions
24 while ensuring that proper formatting and usability are maintained.
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1 Dated: July 18, 2019

2 MUCKLERoy LUNT, LLC

3
4 By: /s/ Martin A. Muckleroy
Martin A. Muckleroy (SBN 9634)
5 6077 South Fort Apache Road, Suite 140
Las Vegas, Nevada 89148
6 Telephone: (702) 907-0097

7 *Liaison Counsel for Lead Plaintiff*

8
9 BROWER PIVEN
A Professional Corporation
10 Charles J. Piven (admitted *pro hac vice*)
3704 North Charles Street, #1301
11 Baltimore, Maryland 21218
Telephone: (410) 332-0030

12
13 *Counsel for Lead Plaintiff Andrey Slomnitsky
and Lead Counsel for the Proposed Class*

14 ROBBINS GELLER RUDMAN
15 & DOWD LLP
Samuel H. Rudman (admitted *pro hac vice*)
16 Joseph Russello (admitted *pro hac vice*)
William J. Geddish (admitted *pro hac vice*)
17 58 South Service Road, Suite 200
Melville, New York 11747
18 Telephone: (631) 367-7100

19
20 *Additional Counsel for Lead Plaintiff*

Dated: July 18, 2019

DICKINSON WRIGHT PLLC

By: /s/ John P. Desmond
John P. Desmond (SBN 5618)
Justin J. Bustos (SBN 10320)
100 West Liberty Street, Suite 940
Reno, Nevada 89501
Telephone: (775) 343-7500

SULLIVAN & CROMWELL LLP
Robert A. Sacks (admitted *pro hac vice*)
1888 Century Park East
Los Angeles, California 90067
Telephone: (310) 712-6600

– and –

Laura Kabler Oswell (admitted *pro hac vice*)
Duncan C. Simpson LaGoy
(admitted *pro hac vice*)
1870 Embarcadero Road
Palo Alto, California 94303
Telephone: (650) 461-5600

*Counsel for Defendants Scott A. Caldwell,
Robert M. Buchan, Randy E. Buffington, and
Stephen M. Jones*

21 * * *

22
23 **ORDER**

24 IT IS SO ORDERED.

25 DATED: July 19, 2019.

William G. Cobb

26 THE HONORABLE WILLIAM G. COBB
27 UNITED STATES MAGISTRATE JUDGE
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